

INVITATION FOR BIDS NO. J08190

TO PROVIDE INSTALLATION AND RECURRING COSTS FOR WIDE AREA NETWORK CONNECTIVITY TO THE JUDICIARY, STATE OF HAWAII

NOTE: If this solicitation document was downloaded through the internet, each interested person must register through email, providing contact information to the listed contact person in the Judiciary Contracts & Purchasing Office. Registration is essential for you to receive any addendums or other information for this solicitation. The Judiciary shall not be responsible for any missing addenda, clarifications, attachments or other information regarding this solicitation if an offer is submitted from an incomplete solicitation document.

OCTOBER 15, 2007

NOTICE TO OFFERORS

This solicitation is provided to you for information purposes. If interested in responding to this solicitation, you may choose to submit your offer on the downloaded document provided. **You must register** your company by fax or e-mail for this specific solicitation. If you do not register your company, you will not receive addenda, if any, and your offer **may be** rejected and not considered for award.

Registration

Submit FAX or E-MAIL to: FAX No.: (808) 538-5802
E-mail Address: jonathan.h.wong@courts.state.hi.us

Provide the following information:

- Name of Company
- Telephone Number
- Solicitation Number
- Mailing Address
- FAX number
- Fedex (or equivalent) account number (document will be sent by U.S. Postal Service first class mail if this is not provided)
- Name of Contact Person
- E-mail Address

THE JUDICIARY, STATE OF HAWAII
HONOLULU, HAWAII
INVITATION FOR BIDS NO. J08190

October 15, 2007

Sealed Offers TO PROVIDE INSTALLATION AND RECURRING COSTS FOR WIDE AREA NETWORK CONNECTIVITY TO THE JUDICIARY, STATE OF HAWAII, will be received at:

The Judiciary, State of Hawaii
Financial Services Division
Kauikeaouli Hale
1111 Alakea Street, 6th Floor
Honolulu, Hawaii 96813-2807

up to and will be **opened at November 30, 2007, 2:00 P.M. HST,**

Offers received after the date and time specified above or at a location other than the location specified above will not be considered. All proposals must be made on forms obtainable at the aforesaid place or from our web site at <http://www4.hawaii.gov/jud> under "General Information / Business with the Judiciary" and must be in accordance with the accompanying instructions.

The Judiciary will conduct a **Vendors Meeting on October 22, 2007, 2:00 p.m.** in the Information Technology and Communications Division, 1111 Alakea St., 9th Floor, Honolulu, HI.

Questions relating to the technical aspects of this Invitation For Bid may be directed to Richard Murakami of the Judiciary Information Technology and Communications Division at (808) 538-5314, FAX (808) 538-5377, email richard.h.murakami@courts.state.hi.us ; other questions may be directed to Jonathan Wong in the Contracts & Purchasing Office, at (808) 538-5805, FAX (808) 538-5802, email jonathan.h.wong@courts.state.hi.us.



Janell Kim
Financial Services Administrator

(Judiciary & SPO Websites: October 15, 2007)

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INVITATION FOR BIDS NO. J08190

TO PROVIDE INSTALLATION AND RECURRING COSTS FOR WIDE AREA NETWORK CONNECTIVITY TO THE JUDICIARY, STATE OF HAWAII

SECTION ONE - INTRODUCTION AND BACKGROUND

1.1 INTRODUCTION AND BACKGROUND

The Judiciary, State of Hawaii invites your company to submit a written bid to Provide Installation and Recurring Costs For Wide Area Network Connectivity to the staff of its Information Technology & Communications Division (ITCD), Telecom/Network Branch.

ITCD is a central agency responsible for servicing the information technology needs of the Judiciary - State of Hawaii. The statewide court system includes the islands of Hawaii, Maui, Lanai, Molokai, Oahu, and Kauai with multiple sites on the majority of them. The supported applications range from basic office automation functions like word processing, e-mail, and electronic spreadsheets, to large, complex case management systems. The computer hardware required to run these applications also falls under the purview of ITCD and is equally diverse with hardware platforms running the gamut from mainframe to mini to microcomputer workstations and servers.

The division maintains a helpdesk to support end users and also has the responsibility for ensuring the on-going, day-to-day operations of the computer hardware required to run the various applications. This includes the underlying telecommunications network. The division also provides software modification and maintenance services for the larger, centralized applications systems.

The Telecom/Network Services Branch handles the telecommunications portion of the division's responsibilities. In addition to the consultation, installation, and maintenance services for the Wide and Local Area Networks, network cabling, traditional data processing services, the branch provides similar services for the Judiciary's telephone systems. The telephone systems are in transition from a mixture comprised primarily of legacy PBX systems with a small number of key systems, or hybrid key/PBX systems to VoIP telephones. As of this writing, all sites on Maui, Kauai, Molokai, Lanai, and most of the Big Island have been converted to the new VoIP telephone system.

The Judiciary is currently building a new court complex in Hilo and in the process of building a new Kapolei Court Complex.

1.2 SIGNIFICANT DATES

Advertisement/Publication	October 15, 2007
Vendors Meeting	2:00 p.m., HST, October 22, 2007 1111 Alakea Street 9 th Floor, ITCD Conference Room
Site Surveys	October 22, 2007 thru November 2, 2007
Deadline for Questions	November 9, 2007
Response to Written Questions	November 16, 2007
OFFERS DUE	2:00 p.m. HST, November 30, 2007

Tentative Notice of Award

December 14, 2007

Tentative Notice to Proceed

December 28, 2007

END OF SECTION ONE

SECTION TWO - SPECIFICATIONS

2.1 GENERAL INFORMATION

- 2.1.1 This Invitation for Bids (IFB) solicits offers from vendors for providing installation and recurring costs for a MUX DS3 wide area network connectivity for Judiciary's voice/data/video network statewide as specified by the Information Technology & Communications Division (ITCD) of the Judiciary, State of Hawaii to create a price list for all Judiciary programs to utilize.
- 2.1.2 Currently, the Judiciary's wide area network is comprised of a Hawaiian Telcom frame relay wide area network statewide. A DS3 is located in our centralized network operations center (NOC) located at 1111 Alakea Street, Honolulu, HI. All remote sites listed below are connected via T1 frame relay circuits. One remote site is connected via a point to point T1 from Time Warner. Also listed are sites which the Judiciary is interested to connect via the new wide area network.
- 2.1.3 The estimated amount of new T1 lines and MUX DS3.

Item Number	Site Address	Existing Service	Estimated Quantities Of New T1 Circuits
1	Kauikeaouli Hale (District Court, First Circuit) 1111 Alakea Street Honolulu, Hawaii 96813	HawTelcom Frame Relay DS3. This is the Judiciary's centralized voice/data/video network operations center (NOC).	0 *One new MUX DS3 will be installed in our NOC.
2	ADLRO (Administrative Driver License Revocation Office) 2875 S. King Street Honolulu, Hawaii 96826	HawTelcom T1 frame relay.	1
3	CJC (Children's Justice Ctr -Oahu) 3019 Pali Highway Honolulu, Hawaii 96813	HawTelcom T1 frame relay	1
4	OPG/Girl's Court (Office of the Public Guardian /Girls Court) 345 Queen Street Honolulu, Hawaii 96813	HawTelcom (2)T1 frame relays.	1
5	One Waterfront 500 Ala Moana Blvd. Honolulu, Hawaii 96813	Time Warner T1 to Kauikeaouli Hale NOC.	1

6	850 Building 850 Richards Street Honolulu, Hawaii 96813	HawTelcom T1 frame relay.	1
7	Driver's Education 1001 Bishop Street S.555 Honolulu, Hawaii 96813	HawTelcom T1 frame relay.	1
8	Juvenile Drug Court 1130 N. Nimitz Highway Suite A224 Honolulu, Hawaii 96817	HawTelcom T1 frame relay.	1
9	Hale Hoomalu 902 Alder Street Honolulu, Hawaii 96814	HawTelcom T1 frame relay.	1
10	Juvenile Client Services 1345 S. Beretania St., Ste 304 Honolulu, Hawaii 96814	HawTelcom T1 frame relay.	1
11	Abner Paki Hale (Kaneohe District Court) 45-939 Pookela Street Kaneohe, Hawaii 96744	HawTelcom T1 frame relay.	1
12	Ewa District Court 870 Fourth Street Pearl City, Hawaii 96782	HawTelcom T1 frame relay.	1
13	Waianae District Court 87-1784 Farrington Highway Waianae, Hawaii 96792	HawTelcom T1 frame relay.	1
14	Wahiawa District Court 1034 Kilani Avenue Wahiawa, Hawaii 96786	HawTelcom T1 frame relay.	1
15	Records Management Office 1624 Hart Street Honolulu, Hawaii 96817	HawTelcom T1 frame relay.	1
16	Kapolei Court Complex 4675 Kapolei Parkway Detention Complex; 287 Kamokila Blvd. Kapolei, Hawaii 96707	Tentatively, the buildings are planned to be completed end of year 2009.	1
17	Hoapili Hale (Second Circuit Court) 2145 Main Street Wailuku, Maui, HI 96793	HawTelcom T1 frame relay.	1

18	Main Street Promenade Bldg. 2050 Main Street Wailuku, Maui, Hawaii 96793	HawTelcom T1 frame relay.	1
19	Lahaina District Court 1870 Honoapiilani Highway Lahaina, Maui, Hawaii 96761	HawTelcom T1 frame relay.	1
20	CJC Maui 1773 Wili Pa Loop Wailuku, Maui, Hawaii 96793	Plan to have spare HawTelcom T1 frame relay installed.	1
21	Hilo Judiciary Complex 777 Kilauea Avenue Hilo, Hawaii 96720	Tentatively, the building is to be completed end of year 2007 or early year 2008.	1
22	Keakealani Building 79-1020 Haukapili Street Kealahou, Hawaii 96750	HawTelcom T1 frame relay.	1
23	Lenders Document Service Building 77-6399 Nalani Street Kailua Kona, Hawaii 96740	HawTelcom T1 frame relay.	1
24	Carter Professional Center 65-1230 Mamalahoa Kamuela, Hawaii 96750	HawTelcom T1 frame relay.	1
25	Kona Drug Court 81-940 Halekii Street Kealahou, Hawaii 96740	HawTelcom T1 frame relay.	1
26	Kona Drivers Ed 81-980 Halekii Street Kealahou, Hawaii 96740	HawTelcom T1 frame relay.	1
27	Waimea Civic Center at Kamuela 67-5187 Kamamalu Street Kamuela, Hawaii 96743	HawTelcom T1 frame relay.	1
28	Children's Justice Center (CJC) - Hilo 1290 Kinoole Street Hilo, Hawaii 96720	HawTelcom T1 frame relay.	1
29	Children's Justice Center (CJC) - Kona 77-6403 Nalani Street Kailua Kona, Hawaii 96740	Plan to move Molokai Adult Probation HawTelcom T1 frame relay here.	1

30	Puuhonua Kaulike 3970 Kaana Street Lihue, Kauai, Hawaii 96766	HawTelcom T1 frame relay.	1
31	Children's Justice Center (CJC) - Kauai 4473 Pahee Street Lihue, Hawaii 96766	Plan to have spare HawTelcom T1 frame relay installed.	1
32	Molokai District Court 55 Makaena Street Kaunakakai, Molokai, Hawaii 96748	HawTelcom T1 frame relay.	1
33	Molokai ACS 109 Ala Malama Street Building D Kaunakakai, Molokai, Hawaii 96748	HawTelcom T1 frame relay.	1
34	Molokai Adult Probation 50 Ala Malama Ave. Kaunakakai, Molokai, Hawaii 96748	Existing HawTelcom T1 frame relay to be moved to CJC Kona. This office is moving to 109 Ala Malama Street Bldg. D. October 2007.	0
35	Lanai District Court 730 Lanai Avenue Suite 131 Lanai City, Hawaii 96763	HawTelcom T1 frame relay.	1
36	Hana Division 4974 Uakea Road Hana, Maui, HI 96713	No Wide Area Network Connectivity.	1
37	Kau Division 95-5669 Mamalahoa Highway, Naalehu, HI 96772	No Wide Area Network Connectivity.	1
38	North Kohala Division 54-3900 Akoni Pule Highway Kapaau, HI 96755	No Wide Area Network Connectivity.	1
39	Hilo Main Court 75 Aupuni Street Hilo, Hawaii 96720	HawTelcom T1 frame relay. Office moving to Hilo Complex 777 Kilauea Ave. after bldg. completion.	1
40	Hilo ACS 1045A Kilauea Avenue Hilo, Hawaii 96720	HawTelcom T1 frame relay. Office moving to Hilo Complex 777 Kilauea Ave. after bldg. completion.	1

41	Waiakea Plaza 345 Kekuanaoa Hilo, HI 96720	HawTelcom T1 frame relay. Office moving to Hilo Complex 777 Kilauea Ave. after bldg. completion.	1
42	Hilo Drug Court 1420 Kilauea Avenue Bay3 Hilo, HI 96720	HawTelcom T1 frame relay. Office moving to Hilo Complex 777 Kilauea Ave. after bldg. completion.	1
43	Puna Court 16200 Pili Mua Keaau, HI 96749	HawTelcom T1 frame relay. Office moving to Hilo Complex 777 Kilauea Ave. after bldg. completion.	1

- 2.1.4 Although there are forty-three (43) sites listed, the Judiciary may at it's own discretion open new or relocate programs to create additional or reduce sites which may require wide area connectivity. All existing and new sites will be covered by this invitation for bid (IFB). Additionally, the Judiciary may at it's own discretion cut programs or close sites which will reduce the amount of wide area connections.
- 2.1.5 The Judiciary may at it's own discretion close any listed site. There will be no termination liability agreement (TLA). There shall be no penalties for termination of service.
- 2.1.6 Depending on the provided costs of each T1 per site, the Judiciary may or may not choose to have a T1 installed.
- 2.1.7 The Judiciary's normal business hours are from 7:45 am to 4:30 pm, Hawaii Standard Time, Monday thru Friday, except for State Holidays. The awarded vendors work hours shall follow the Judiciary's work hours. After hours work will have to be arranged with the officer-in charge (OIC) or his designee.
- 2.1.8 Site inspections are welcomed. Please make arrangements with the officer-in-charge (OIC).
- 2.1.9 The existing and spare frame relays are on Hawaiian Telcom contracts. The contracts will expire on March 2008, therefore, switching to the awarded vendor's MUX DS3 may not occur during the contracted periods.

2.2 TECHNICAL SPECIFICATIONS

- 2.2.1 All T1 lines are to be configured for B8ZS and ESF.
- 2.2.2 The T1's shall connect to a customer provided Cisco router at each of the possible forty-two sites which may be converted.
- 2.2.3 The MUX DS3 shall connect to a customer provided Cisco core switch located at our NOC.

2.3 GENERAL REQUIREMENTS

- 2.3.1 The awarded vendor shall show all qualifications to provide MUX DS3 wide area network to

the officer-in-charge (OIC). At the time of bidding, the vendor shall have a minimum of three (3) years experience installing and maintaining a similar wide area network.

- 2.3.2 The awarded vendor shall furnish all equipment, materials, labor, tools, transportation, and supervision required for on-site installation services. The contractor shall perform all work in accordance with industry standards and follow manufacturer's guidelines.
- 2.3.3 The awarded vendor shall be capable of performing installations at all Judiciary locations statewide (Oahu, Maui, Big Island, Kauai, Molokai, and Lanai). A MUX DS3 implementation plan shall be provided to and approved by the OIC before any installation occurs.
- 2.3.4 The awarded vendor shall designate a project manager responsible for installation, coordination, testing, and acceptance of all work performed under this IFB. The project manager shall have technical and operational decision making authority.

The project manager shall have monthly and as needed meetings with the Officer-in-Charge (OIC) and his staff. The project manager shall furnish a summary report with status of all contracted installations and/or services as requested by the OIC.

- 2.3.5 The awarded vendor shall be able to handle multiple projects simultaneously. Prompt response to requests for quotations, project planning, and scheduling is mandatory.
- 2.3.6 The awarded vendor shall have a toll free 1-800 number for reporting trouble calls.
- 2.3.7 The awarded vendor shall have a 7 day x 24 hour x 365 days trouble call center.
- 2.3.8 Problems reported to the trouble call center shall be responded to within thirty minutes.
- 2.3.9 If the problem reported to the trouble call center cannot be resolved within sixty minutes, the trouble call center will contact the Judiciary's OIC with a detailed technical statement of the problem and time frame of the resolution.

The trouble call center shall contact the OIC every hour thereafter to provide resolution updates until final resolution.

END OF SECTION TWO

SECTION THREE - SPECIAL PROVISIONS

3.1 SCOPE

The contract for the wide area network connectivity as specified herein shall be in accordance with these Special Provisions, Specifications, and the General Conditions.

3.2 OFFICER-IN-CHARGE

For the purposes of this contract, Richard Murakami, telephone (808) 538-5314, is designated Officer-in-Charge (OIC).

3.3 TERM OF CONTRACT

The tentative term of the contract shall be for the period commencing on March 1, 2008 to June 30, 2008.

Unless terminated, and subject to the availability of funds, the contract may be extended by the Judiciary for three (3) additional twelve month periods without rebidding, upon mutual agreement in writing at least sixty (60) days prior to expiration. The three additional twelve month periods are July 1, 2008 to June 30, 2009; July 1, 2009 to June 30, 2010; and July 1, 2010 to June 30, 2011.

The Judiciary may terminate the contract at any time upon sixty (60) days prior written notice.

The contract shall not have any termination liability agreement (TLA). There shall be no penalties for early termination of service.

3.4 OFFER PREPARATION

All responses must be typewritten on the offer forms provided and on any additional sheets required to meet the detailed responses as stated in the Specifications and/or Special Provisions and must be in accordance with the terms and conditions stated herein. All costs associated with this offer preparation are the sole responsibility of the Offeror. Any offer stating terms and/or conditions contradictory to those included herein may be rejected without further consideration.

- 3.4.1 Legal Name. Offeror is requested to submit its offer using Offeror's exact legal name as registered with the Department of Commerce and Consumer Affairs, if applicable; and to indicate exact legal name in the appropriate spaces on OFFER FORM, page OF-1. Failure to do so may delay proper execution of the contract.
- 3.4.2 Quotation. Prices offered shall be based on delivery of products and services to Judiciary and shall include all applicable costs and taxes including the Hawaii General Excise Tax. If there is a discrepancy in the prices submitted, the unit price submitted will prevail.
- 3.4.3 Proposal Guaranty. A Proposal Guaranty is NOT required for this IFB.
- 3.4.4 Tax Clearance. See General Conditions and Section 3.8 Award of these Special Provisions for instructions. A valid tax clearance certificate received with the offer will remain valid for the contract award.

- 3.4.5 Tax Liability. For information and assistance in determining tax liability under this solicitation, Offerors may call the State of Hawaii Department of Taxation, telephone (800) 222-3229 or (808) 587-1455.
- 3.4.6 Hawaii Vendors. A vendor doing business in the State of Hawaii, as evidenced by its Hawaii general excise tax (GET) license number, is liable for the Hawaii GET, currently 4% or 4.5%*, and the applicable use tax, currently ½%, resulting from this solicitation. (**Note: The 4.5% GET rate applies to sales made on Oahu only; the 4% GET rate affects the other islands of Hawaii. See State of Hawaii Dept. of Taxation website for further clarification: http://www.hawaii.gov/tax/a2_b2_7csurchg.htm*)
- 3.4.7 Tax-Exempt Vendors. If an Offeror is a person exempt by the HRS from paying the GET and use tax and therefore not liable for the taxes under this solicitation, Offeror shall state its tax-exempt status and cite the HRS chapter or section allowing the exemption.
- 3.4.8 Taxpayer Preference. For evaluation purposes, pursuant to Sec. 103D-1008, HRS, the Offeror's tax-exempt price offer submitted in response to an IFB shall be increased by the applicable retail rate of general excise tax and the applicable use tax. Under no circumstance shall the dollar amount of the award include the aforementioned adjustment.
- 3.4.9 Joint Contractors. Offeror may subcontract portions of this project. Provide names and addresses of Joint Contractors/Subcontractors, of References, and of Local Representatives. Offeror shall be the Primary Contractor and be liable for all work performed under this project.
- 3.4.10 Wage Certificate. Pursuant to Procedural Requirements Section 3.8, the Wage Certificate is attached to the Offer Form.

At this time of this solicitation, although there are no Judiciary positions listed in the classification plan of the of the public sector that are similar to those expected to be used in the performance of this project, Offeror is to sign the Wage Certificate to show compliance with Section No. 1 of the Wage Certificate.

3.5 WRITTEN INQUIRIES

Inquiries or questions concerning discrepancies, omissions, non-compliance with any requirement of this IFB, or doubts as to the meaning of specifications, special provisions, general conditions, or selection must be communicated in writing by the date indicated in the Significant Dates Section 1.2, to the following address:

The Judiciary, State of Hawaii
Financial Services Division
Attn: Jonathan Wong
1111 Alakea Street, 6th floor
Honolulu, HI 96813-2807

Fax: (808) 538-5802, or [email:jonathan.h.wong@courts.state.hi.us](mailto:jonathan.h.wong@courts.state.hi.us)

Offeror may provide its express mail service account number or FAX number so that responses may be sent to offeror with minimum delay. Every effort will be made to ensure that responses are available on a timely basis, however, the Judiciary is not responsible for offeror's late receipt of responses to written questions due to carrier delays.

3.6 SUBMISSION OF OFFERS

Offerors shall submit three (3) sets (1 original + 2 copies) of their sealed offer no later than the date and time indicated in Section 1.2, Significant Dates, to:

The Judiciary, State of Hawaii
Financial Services Division
1111 Alakea Street, 6th Floor
Honolulu, HI 96813 -2807
Attention: Jonathan Wong

OFFERS RECEIVED AFTER THE DATE AND TIME SPECIFIED SHALL NOT BE ACCEPTED AND SHALL BE RETURNED TO THE VENDOR UNOPENED.

3.7 OFFEROR QUALIFICATION

- 3.7.1 Experience: At the time of offer and throughout the contract period, offeror shall have an established place of business located in Hawaii and be fully qualified to service the installed Judiciary's wide area network, shall have available trained technicians to install and maintain the Judiciary's wide area network. Offeror and subcontractors shall have a minimum of three (3) years experience with installing and maintaining a similar wide area network as described in this IFB.
- 3.7.2 References. Offeror shall indicate on the Offer Form pages the names, addresses, telephone numbers, and contact persons of two (2) companies, preferably within the state of Hawaii, for which the offeror has provided a wide area network as specified in this IFB. All references must have been serviced within the past three (3) years. The Judiciary reserves the right to contact any of the listed companies to inquire about the offeror's performance. The Judiciary reserves the right to reject the offer submitted by any offeror who has not maintained and/or installed of the types of wide area network as specified in this IFB and performed services that is similar in nature to services required in this IFB or whose performance on other jobs for this type of service has been proven unsatisfactory. (See References section in OFFER FORM for further details.)
- 3.7.3 Local Representative. Offeror shall have and identify a local representative (in Hawaii) in order to qualify for award. Local representative must have an office location in the state of Hawaii, from where he/she conducts his/her business during normal working hours and from where he/she will be accessible for requests or network connectivity problems. Local representative shall be able to meet with the Judiciary and be available, accountable, and be responsible for the installation and maintenance of the wide area network as specified in this IFB for the duration of the contract period. Failure on the part of the Offeror to meet this requirement shall result in rejection of Offer.

3.8 AWARD

- 3.8.1 Method of Award. Award, if any, will be made to the responsive and responsible offeror submitting the lowest TOTAL BID PRICE. Offerors must submit a bid for both the installation and recurring costs in order to be considered for award.

- 3.8.2. HRS Chapter 237 Tax Clearance requirement for award. Pursuant to §103D-328, HRS, prior to the execution of the contract, the successful Offeror shall be required to submit a tax clearance certificate issued by the Hawaii State Department of Taxation (DOTAX) and the Internal Revenue Service (IRS). The certificate is valid for six (6) months from the most recent approval stamp date on the certificate and must be valid on the date received by the Judiciary.

The Contractor is required to submit a tax clearance certificate, not over two months old, with an original green certified copy stamp, upon completion of the contract.

The tax clearance certificate may be obtained from the following site:

<http://www.state.hi.us/tax/2006/a6.pdf> or by Fax/Mail at (808) 587-7522 or 1-800-222-7572.

- 3.8.3. HRS Chapters 383 (Unemployment Insurance), 386 (Workers' Compensation), 392 (Temporary Disability Insurance), and 393 (Prepaid Health Care) requirements for award.

Instructions are as follows:

Pursuant to §103D-310(c), HRS, the lowest responsive Offeror shall be required to submit a certificate of compliance issued by the Hawaii State Department of Labor and Industrial Relations (DLIR). The certificate is valid for six (6) months from the date of issue and must be valid on the date it is received by the Judiciary. A photocopy of the certificate is acceptable to the Judiciary.

The certificate of compliance shall be obtained on the State of Hawaii, DLIR *APPLICATION FOR CERTIFICATE OF COMPLIANCE WITH SECTION 103D-310(c), HRS, Form LIR#27* which is available at <http://hawaii.gov/labor/forms/DCD-LIR27.pdf> or at the neighbor island DLIR District offices. The DLIR will return the form to the Offeror which in turn shall submit it to the Judiciary Contracts & Purchasing Office at 1111 Alakea Street, 6th Floor.

The application for the certificate is the responsibility of the Offeror, and must be submitted directly to the DLIR, and not the Judiciary. However, the certificate shall be submitted to the Judiciary.

- 3.8.4. Compliance with Section 103D-310(c), HRS, for an entity doing business in the State. The lowest responsive Offeror shall be required to submit a *CERTIFICATE OF GOOD STANDING* issued by the Department of Commerce and Consumer Affairs, Business Registration Division (BREG). The Certificate is valid for six months from date of issue and must be valid on the date it is received by the Judiciary. A photocopy of the certificate is acceptable to the Judiciary.

To obtain the Certificate, the Offeror must first be registered with the BREG. A sole proprietorship, however, is not required to register with the BREG, and therefore not required to submit the certificate.

On-line business registration and the Certificate are available at www.BusinessRegistrations.com. To register or to obtain the Certificate by phone, call (808) 586-2727 (M-F 7:45 to 4:30 HST). Offerors are advised that there are costs associated with registering and obtaining the Certificate.

- 3.8.5. Hawaii Compliance Express. Alternatively, instead of separately applying for these certificates at the various state agencies, vendors may choose to use the Hawaii Compliance Express (HCE), which allows businesses to register online through a simple wizard interface at <http://vendors.ehawaii.gov/hce/splash/welcome.html> to acquire a "Certificate of Vendor Compliance." The HCS provides current compliance status as of the issuance date. The "Certificate of Vendor Compliance" indicating that vendor's status is compliant with the requirements of Chapter 103D-310(c), HRS, shall be accepted for **both contracting purposes and final payment**. Under Hawaii Law, Vendors must provide proof of compliance in order to receive a contract greater than \$25,000 with state and counter government entities in Hawaii. Vendors that elect to use the new HCE services will be required to pay an annual fee of \$12.00 to the Hawaii Information Consortium, LLC (HIC). Vendors choosing not to participate in the HCE program will be required to provide the paper certificates as instructed in the sections previous to this one.
- 3.8.6. Timely Submission of all Certificates. The above certificates should be applied for and submitted to the Judiciary upon award of contract. If a valid certificate is not submitted on a timely basis for award of a contract, an offer otherwise responsive and responsible may not receive the award.
- 3.8.7. Insurance. The Contractor shall, at his own expense, procure and maintain in full force and effect throughout the term of the contract. The policy or policies of insurance maintained by Contractor shall provide the following limit and coverage:
1. Comprehensive General Liability Insurance (occurrence form) of **\$2,000,000** combined single limit.
 2. Workers' Compensation, Temporary Disability, Unemployment Insurance, and Prepaid Health Care to cover all of his employees working in any capacity in executing the contract.

Such insurance policies shall include a proviso whereby the insurer shall notify the Assistant Fiscal and Support Services Administrator in writing of any cancellation or change in provisions thirty (30) calendar days prior to the effective date of such cancellation or change. Furthermore, the policies shall name the Judiciary as additional insured.

Failure of the contractor to provide and keep in force such insurance shall be regarded as material default under this contract, entitling the Judiciary to exercise any or all of the remedies provided in this contract for a default of the contractor.

Prior to execution of the contract, the successful offeror shall provide proof of coverage of insurance requirements set forth under this section.

3.9 CONTRACT EXECUTION AND EXTENSION

- 3.9.1 Execution: The successful Offeror receiving the award shall be required to enter into a formal written contract with the Judiciary. The following documents are required for award of a contract: An original or certified copy of a tax clearance issued by the Hawaii State Department of Taxation and Internal Revenue Service, Certificate of Compliance issued by the Department of Labor, and Certificate in Good Standing issued by the Department of

Commerce and Consumer Affairs. Upon execution of the contract, the Judiciary shall issue a Notice to Proceed, specifying the contract commencement date.

No work shall be undertaken by the Contractor prior to the commencement date specified on the Notice to Proceed. The Judiciary is not liable for any work, contract, costs, expenses, loss of profits, or any damages whatsoever incurred by the Contractor arising prior to the official starting date.

- 3.9.2 Extension: If option to extend for an additional period is mutually agreed upon, the Contractor shall be required to execute a supplement to the contract. Any contract extension must be executed by the Contractor no less than thirty (30) days prior to the scheduled date of termination, otherwise the requirement must be rebid. All contract extensions are subject to the availability of funds.

3.10 CONTRACT BOND

Contract Bond is NOT required for this contract.

3.11 PERMITS, CERTIFICATES, AND LICENSES

The Contractor shall obtain and pay for all permits, certificates, and licenses required and necessary for the performance of the work specified herein, shall post all notices required by law, and shall comply with all laws, ordinances, and regulations bearing on the conduct of work specified.

3.12 PRICING INFORMATION AND ADJUSTMENTS

- 3.12.1 No price increase will be allowed during the initial 3 (three) month period and additional 3 (three) twelve (12) month extensions of the contract. However, in the event of a general price decline, the Judiciary will be entitled to reductions given to similar customers.

- 3.12.2 Price escalation:

Rate increases that are approved for the same services provided to other government agencies may be negotiated with the Judiciary for consideration.

3.13 INVOICING

Contractor shall submit an invoice after completion of a project or moves/add/change (mac) order to the specified fiscal office designated on the purchase order. The components and services will be delivered to the specified location designated on the purchase order.

3.14 PAYMENT

Section 103-10, HRS, provides that the Judiciary shall have thirty (30) calendar days after receipt of invoice or satisfactory delivery of goods & services to make payment. For this reason, the Judiciary will reject any offer submitted with a condition requiring payment within a shorter period. Further, the Judiciary will reject any offer submitted with a condition requiring interest payments greater than

that allowed by Section 103-10, HRS, as amended.

The Judiciary will not recognize any requirement established by the Offeror and communicated to the Judiciary after award of the contract which requires payment within a shorter period or interest payment not in conformance with statute.

3.15 CONTRACT STAFFING REQUIREMENTS

Personnel whose names and resumes are submitted in the offer shall not be removed from this project without prior approval of the Judiciary. Substitute or additional personnel shall not be used for this project until a resume is received and approved by the Officer-in-Charge (OIC).

Personnel changes that are not approved by the OIC may be grounds for contract termination.

The Judiciary shall have the right, and the Contractor will comply with, any request to remove personnel from all work on this project effective immediately upon notification by the OIC.

3.16 TERMINATION FOR CAUSE

If the Contractor:

1. Fails to begin the work or services under the contract within or by the time specified.
2. Fails to perform the work with sufficient workmen, equipment, or materials to insure prompt completion of the work.
3. Performs the work or services negligently, or neglects or refuses to remove materials or to perform anew, such work or services that may be rejected as unacceptable.
4. Discontinues the prosecution of the work or services.
5. Otherwise breaches any term of the contract.
6. Becomes insolvent or is declared bankrupt, or commits any act of bankruptcy or insolvency.
7. Allows any final judgement to stand against him unsatisfied for a period of ten (10) days.
8. Makes an assignment for the benefit of creditors.
9. For any other cause whatsoever, fails to carry out the work or services in an acceptable manner, the Judiciary will give notice to the Contractor of such delay, neglect, or default. If the Contractor within a period of ten (10) days after the date of such notice, shall not proceed in accordance therewith, then the Judiciary will have full power and authorize, without violating the contract, to take the prosecution of the work or services out of the hands of the Contractor, and to use such methods are deemed necessary to complete the contract in an acceptable manner.

All costs and charges incurred by the Judiciary, together with the cost of completing the work

or services under the contract, will be off set from any monies due or which would or might have become due to the Contractor had the Contractor completed the work under the contract. If such expense exceeds the sum which would have been payable under the contract, the Contractor shall be liable and shall pay to the Judiciary the amount of such excess within ten (10) days after demand therefore.

3.17 LIQUIDATED DAMAGES

Failure to complete delivery of any item in the contract within the time proposed will cause damage to the Judiciary. The amounts of said damages being difficult, if not impossible to ascertain, shall be estimated, agreed upon and fixed at the sum of ONE HUNDRED DOLLARS (\$100.00) for each and every calendar day the vendor delays in completing any item of the contract after the required date of said completion. The total sum due for such delay, shall be deducted from any payments due or to become due to the vendor.

3.18 CAMPAIGN CONTRIBUTIONS BY STATE AND COUNTY CONTRACTORS

Contractors are hereby notified of the applicability of Section 11-205.5, HRS, which states that campaign contributions are prohibited from specified State or County government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body.

3.19 INTERPRETATION OF PROVISIONS

Notwithstanding any other provisions, if there is any doubt as to the interpretation of any of the provisions of this agreement, the interpretation given and made by the Officer-in-Charge with the approval of the Financial Services Administrator, or the interpretation made by the Financial Services Administrator, shall govern and control. In addition, the parties hereto agree that said Financial Services Administrator, shall have the sole power to decide and resolve matters which may come up in the future and which are not covered by this agreement.

3.20 CONFLICTS AND VARIATIONS

In the event of any conflict or variation between the provisions of this document entitled Special Provisions and the General Conditions, the provisions of the document entitled Special Provisions shall control.

END OF SECTION

SECTION FOUR - OFFER FORM

**INVITATION FOR BIDS NO. J08190
PROVIDE INSTALLATION AND RECURRING COSTS OF
WIDE AREA NETWORK CONNECTIVITY
FOR THE JUDICIARY, STATE OF HAWAII**

Offeror: _____

Honolulu, Hawaii

_____, 20____

Financial Services Administrator
The Judiciary, State of Hawaii
Kauikeaouli Hale
1111 Alakea Street, 6th Floor
Honolulu, Hawaii 96813

Dear Financial Services Administrator:

The undersigned has carefully read and understands the terms and conditions specified in the Specifications and Special Provisions attached hereto, and in the General Conditions dated February 2001 by reference made a part hereof and available upon request; and hereby submits the following offer to perform the work specified herein, all in accordance with the true intent and meaning thereof. The undersigned further understands and agrees that by submitting this offer, 1) he/she is declaring his/her offer is not in violation of Chapter 84, Hawaii Revised Statutes, concerning prohibited State contracts, and 2) he/she is certifying that the price(s) submitted was (were) independently arrived at without collusion.

The undersigned hereby proposes to PROVIDE INSTALLATION AND RECURRING COSTS OF WIDE AREA NETWORK CONNECTIVITY TO THE JUDICIARY, STATE OF HAWAII, for the Total Price of:

_____ Dollars (\$_____).

The undersigned represents: **(Check ✓ one only)**

☐ A **Hawaii Business** incorporated or organized under the State of Hawaii; **OR**

☐ A **Compliant Non-Hawaii business** not incorporated or organized under the laws of the State of Hawaii, but registered at the State of Hawaii Department of Commerce and Consumer Affairs Business Registration Division to do business in the State of Hawaii and has a separate branch or division in the State that is capable of fully performing under the contract.

State of incorporation _____

Offeror is:

☐ Sole Proprietor ☐ Partnership ☐ Corporation ☐ Joint Venture

☐ Other _____

Federal I.D. No. _____

Hawaii General Excise Tax License I.D. No. _____

Payment address (other than street address below): _____

City, State, Zip Code _____

Business address: _____

City, State, Zip Code _____

Date: _____

Respectfully submitted,

Phone No.: _____

(x) _____

Authorized (Original) Signature

Fax No.: _____

Email Address: _____

Name and Title (Please Type or Print)

*

Exact Legal Name of Company (Offeror)

* If Offeror is a "dba" or a "division" of a corporation, please furnish the exact legal name of the corporation under which the contract, if awarded, will be executed:

4.1 OFFER SHEET:

The following offer is hereby submitted To Provide Installation and Recurring Costs Of Wide Area Network Connectivity. Prices shall include all applicable costs and taxes including the Hawaii General Excise Tax.

Item Number	Site	Estimated MUX DS3/T1	(A) Monthly Recurring	(B) Installation Cost	(C) Total Bid Amount (A+B=C)
1	Kauikeaouli Hale 1111 Alakea Street Honolulu, HI 96813	1 MUX DS3	\$	\$	\$
2	ADLRO 2875 S. King Street Honolulu, HI 96826	1 T1	\$	\$	\$
3	CJC 3019 Pali Highway Honolulu, HI 96813	1 T1	\$	\$	\$
4	OPG/Girls Court 345 Queen Street Honolulu, HI 96813	1 T1	\$	\$	\$
5	One Waterfront 500 Ala Moana Blvd. Honolulu, HI 96813	1 T1	\$	\$	\$
6	850 Building 850 Richards Street Honolulu, HI 96813	1 T1	\$	\$	\$
7	Driver's Education 1001 Bishop Street S.555 Honolulu, HI 96813	1 T1	\$	\$	\$
8	Juvenile Drug Court 1130 N. Nimitz Highway Suite A224 Honolulu, HI 96817	1 T1	\$	\$	\$
9	Hale Hoomalu 902 Alder Street Honolulu, HI 96814	1 T1	\$	\$	\$
10	Juvenile Client Services 1345 S. Beretania St., Ste 304 Honolulu, HI 96814	1 T1	\$	\$	\$

Item Number	Site	Estimated Amount of T1	(A) Monthly Recurring	(B) Installation Cost	(C) Total Bid Amount (A + B = C)
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11	Abner Paki Hale 45-939 Pookela Street Honolulu, HI 96744	1 T1	\$	\$	\$
12	Ewa District Court 870 Fourth Street Pearl City, Hawaii 96782	1 T1	\$	\$	\$
13	Waianae District Court 87-1784 Farrington Highway Waianae, Hawaii 96792	1 T1	\$	\$	\$
14	Wahiawa District Court 1034 Kilani Avenue Wahiawa, Hawaii 96786	1 T1	\$	\$	\$
15	Records Management 1624 Hart Street Honolulu, Hawaii 96817	1 T1	\$	\$	\$
16	Kapolei Court Complex 4675 Kapolei Parkway Detention Complex 287 Kamokila Blvd. Kapolei, Hawaii 96707	1 T1	\$	\$	\$
17	Hoapili Hale 2145 Main Street Wailuku, Maui, Hawaii 96793	1 T1	\$	\$	\$
18	Main Street Promenade Building 2050 Main Street Wailuku, Maui, Hawaii 96793	1 T1	\$	\$	\$
19	Lahaina District Court 1870 Honoapiilani Highway Lahaina, Maui, Hawaii 96761	1 T1	\$	\$	\$
20	CJC Maui 1773 Wili Pa Loop Wailuku, Maui, Hawaii 96793	1 T1	\$	\$	\$

Item Number	Site	Estimated Amount of T1	(A) Monthly Recurring	(B) Installation Cost	(C) Total Bid Amount (A + B = C)
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21	Hilo Judiciary Complex 777 Kilauea Avenue Hilo, Hawaii 96720	1 T1	\$	\$	\$
22	Keakealani Building 79-1020 Haukapili Street Kealahou, Hawaii 96750	1 T1	\$	\$	\$
23	Lenders Document Service Building 77-6399 Nalani Street Kailua, Kona, Hawaii 96740	1 T1	\$	\$	\$
24	Carter Professional Center 65-1230 Mamalahou Kamuela, Hawaii 96750	1 T1	\$	\$	\$
25	Kona Drug Court 81-940 Halekii Street Kealahou, Hawaii 96740	1 T1	\$	\$	\$
26	Kona Drivers Ed 81-980 Halekii Street Kealahou, Hawaii 96740	1 T1	\$	\$	\$
27	Waimea Civic Center at Kamuela 67-5187 Kamamalu Street Kamuela, Hawaii 96743	1 T1	\$	\$	\$
28	CJC Hilo 1290 Kinoole Street Hilo, Hawaii 96720	1 T1	\$	\$	\$
29	CJC Kona 77-6403 Nalani Street Kailua, Kona, Hawaii 96740	1 T1	\$	\$	\$
30	Puuhonua Kaulike 3970 Kaana Street Lihue, Kauai, Hawaii 96766	1 T1	\$	\$	\$
31	CJC Kauai 4473 Pahee Street Lihue, Hawaii 96766	1 T1	\$	\$	\$

Item Number	Site	Estimated Amount of T1	(A) Monthly Recurring	(B) Installation Cost	(C) Total Bid Amount (A + B = C)
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32	Molokai District Court 55 Makena Street Kaunakakai, Molokai, Hawaii 96748	1 T1	\$	\$	\$
33	Molokai ACS 109 Ala Malama Street Building D Kaunakakai, Molokai, Hawaii 96748	1 T1	\$	\$	\$
34	Molokai Adult Probation 50 Ala Malama Ave. Kaunakai, Molokai, Hawaii 86748	PURGE			
35	Lanai District Court 730 Lanai Avenue Suite 131 Lanai City, Hawaii 96763	1 T1	\$	\$	\$
36	Hana Division 4974 Uakea Road Hana, Maui, HI 96713	1 T1	\$	\$	\$
37	Kau Division 95-5669 Mamalahoa Highway, Naalehu, HI 96772	1 T1	\$	\$	\$
38	North Kohala Division 54-3900 Akoni Pule Highway Kapaau, HI 96755	1 T1	\$	\$	\$
39	Hilo Main Court 75 Aupuni Street Hilo, Hawaii 96720	1 T1	\$	\$	\$
40	Hilo ACS 1045A Kilauea Avenue Hilo, Hawaii 96720	1 T1	\$	\$	\$
41	Waiakea Plaza 345 Kekuanaoa Hilo, HI 96720	1 T1	\$	\$	\$

Item Number	Site	Estimated Amount of T1	(A) Monthly Recurring	(B) Installation Cost	(C) Total Bid Amount (A + B = C)
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42	Hilo Drug Court 1420 Kilauea Avenue Bay3 Hilo, HI 96720	1 T1	\$	\$	\$
43	Puna Court 16200 Pili Mua Keaau, HI 96749	1 T1	\$	\$	\$

ITEMS 1 THRU 43	TOTAL BID AMOUNT	\$
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Note: Bid amounts shall include all applicable taxes and expenses. Be advised that all contracts are subject to the availability of funds. Additionally, be advised, the quantity of MUX DS3/T1 are estimated quantities. The Judiciary may at it's own discretion order more or less MUX DS3/T1.

4.2 ADDITIONAL INFORMATION

A. Joint Contractors/ Subcontractors

The Offeror certifies that the following is a complete list of all contractors and subcontractors who will be engaged by the Offeror on the project to perform the nature and scope of work indicated. The Offeror further understands that only those joint contractors and subcontractors listed shall be allowed to perform work on this project and that all other work necessary shall be performed by the Offeror with his own employees. If no joint contractor or subcontractor is listed, it shall be construed that all of the work shall be performed by the Offeror with his own employees.

Provide the complete firm name, address and phone number of the joint or subcontractor. Any modification to this list, subsequent to the award of this contract must be approved by the OIC.

Subcontractor Name	Address	Phone/Fax/Email

B. References

FAILURE TO COMPLETE ANY OF THE FOLLOWING ITEMS MAY RESULT IN THE DISQUALIFICATION OF THE SUBMITTED OFFER.

Names and addresses of companies, other than the Judiciary, for which the undersigned has provided installation and recurring cost of wide area network connectivity (MUX DS3) that is similar in nature and/or volume to services specified in the attached specifications. Refer to References section of the enclosed offer.

Company/Agency Name & Contact	Address	Phone/Fax/email

C. Name and Address of Local Representative

Any modification to this list, subsequent to the award of this contract must be approved by the OIC.

Company Name & Contact	Address	Phone/fax/email

D. Name and Address of Project Manager

Any modification to this list, subsequent to the award of this contract must be approved by the OIC.

Company Name & Contact	Address	Phone/fax/email

WAGE CERTIFICATE
(For Service Contracts)

Subject: INVITATION FOR BIDS NO.: J08190

Project

Description: **PROVIDE INSTALLATION AND RECURRING COST OF WIDE AREA
NETWORK CONNECTIVITY (MUX DS3) FOR THE JUDICIARY, STATE OF
HAWAII**

Pursuant to Section 103-55, Hawaii Revised Statutes, I hereby certify that if awarded the contract in excess of \$25,000, the services to be performed will be performed under the following conditions:

1. All applicable laws of the Federal and State governments relating to workers' compensation, unemployment compensation, payment of wages, and safety will be fully complied with; and
2. The services to be rendered shall be performed by employees paid at wages or salaries not less than wages paid to public officers and employees for similar work, with the exception of professional, managerial, supervisory, and clerical personnel who are not covered by Section 103-55, HRS.

I understand that failure to comply with the above conditions during the period of the contract shall result in cancellation of the contract, unless such noncompliance is corrected within a reasonable period as determined by the procurement officer. Payment in the final settlement of the contract or the release of bonds if applicable, or both shall not be made unless the procurement officer has determined that the noncompliance has been corrected; and

I further understand that all payments required by Federal and State laws to be made by employers for the benefit of their employees are to be paid in addition to the base wages required by Section 103-55, Hawaii Revised Statutes.

Offeror: _____

Signature: _____

Name: _____

Title: _____

Date: _____

SECTION FIVE - ATTACHMENTS:

GENERAL CONDITIONS

PROCEDURAL REQUIREMENTS

PUBLICATION 1, INFORMATION ON TAXES

TAX CLEARANCE APPLICATION

CERTIFICATE OF COMPLIANCE

INFORMATION ON HAWAII STATE TAXES ADMINISTERED BY THE DEPARTMENT OF TAXATION

This publication provides a general overview of the most common Hawaii State taxes paid by businesses that are located in Hawaii and by businesses that are not located in Hawaii but which conduct business in Hawaii. Tax forms, other publications, and specific information applicable to your particular business situation may be obtained from the Department's customer service staff which may be reached by telephone at (808) 587-4242 or toll free at 1-800-222-3229, by e-mail at Taxpayer.Services@hawaii.gov, or at the Hawaii Department of Taxation, P.O. Box 259, Honolulu, HI 96809-0259. Forms and information on Hawaii's taxes are also available at the Department's website at: www.hawaii.gov/tax.

GENERAL EXCISE TAX

The General Excise Tax Law taxes persons (individuals, corporations, partnerships, or other entities) on the gross receipts or gross income they derive from their business activities in the State. The tax is often called a gross income tax because deductions for business expenses such as materials, labor, travel, office supplies, etc., generally are not allowed.

This tax is also often referred to as a "sales tax." The general excise tax, however, is not a sales tax and differs from a sales tax in a number of ways. First, the general excise tax is levied on the person conducting the business; a sales tax is levied on the customer. Second, a common practice in Hawaii is to separately state and visibly pass on to the customer an amount representing the cost of the business' general excise tax liability (in a manner similar to a sales tax which is separately charged and collected from purchasers). If a business adopts this practice, the amount visibly passed on as tax must be included in the business' gross income subject to the tax. Unlike a sales tax, the amount visibly passed on as tax cannot be excluded from the gross income subject to the tax. A business is not required to separately state an amount of the sales price representing a general excise tax pass-on. Third, the general excise tax is levied on gross income at all levels of business activity unless specifically exempted by law. Sales taxes, on the other hand, usually are levied on sales of tangible personal property only at the retail level. Examples of income subject to the general excise tax include gross income derived from: sales of tangible personal property at both wholesale and retail; contracting; the rendering of services; commissions; and the rental of personal or real property.

Because the general excise tax is levied on the business rather than the customer, the gross income a business receives from transactions with tax exempt customers, such as nonprofit organizations and government agencies, is subject to the general excise tax. The customer's general excise tax status does not affect the business' general excise tax liability on the business income. For example, a business must pay general excise taxes on the gross amount it derives from contracts with a State or county government agency. There are, however, a few activities specifically exempt by law when dealing with the federal government, its agencies and instrumentalities.

Out-of-state businesses as well as businesses located in Hawaii are subject to the general excise tax on activities in the State.

Gross income derived from the sale or leasing of tangible personal property, the rental of real property, or the provision of services is subject to the general excise tax if the seller has sufficient presence in the State. Presence in the State is established if your business has an office, inventory, property, employees, or other representation in the State, or if services in conjunction with the sales of property, such as training, installation, or repairs, are provided in the State. The furnishing of personal or other services in the State and the leasing of tangible personal property located in Hawaii are other examples of transactions which are taxable. You must thoroughly analyze the facts and circumstances surrounding your transaction when determining whether there is sufficient presence. Out-of-state businesses are encouraged to contact the Department of Taxation regarding their specific circumstances.

The general excise tax rate is .5% on gross income derived from wholesaling and certain services rendered to or for an intermediary or manufacturer. Gross income from all other business activities is taxed at the rate of 4% except for a special .15% rate for insurance commissions. Effective January 1, 2007, the City and County of Honolulu's .5% county surcharge will be applied to all gross receipts in that county that are subject to the general excise tax at the 4% tax rate. Taxpayers are encouraged to contact the Department regarding their specific circumstances because certain business activities, such as wholesaling and contracting, are narrowly defined in the law and some exemptions or credits are available.

An application for a general excise tax license, Form BB-1, must be completed and submitted to the Department with a \$20 license fee prior to doing business in the State. A "one-time" license may be requested if you do not anticipate doing any additional business in the State. Licenses may be obtained by mail or in person from any district tax office.

A tax exempt organization is not subject to the general excise tax on certain types of income it receives. An organization may apply for exempt status by completing Form G-6, Application for Exemption From General Excise Taxes, or Form G-6S, Application for Exemption From General Excise Taxes (Short Form). The organization should submit the application to the Department with a \$20 registration fee. The fee is not necessary if the organization already has a general excise tax license.

Periodic general excise tax returns must be filed on a monthly, quarterly, or semiannual basis within the month following the close of the reporting period. An annual return, which summarizes the payments made on the periodic returns, reports the actual income earned for the taxable year, and reconciles the differences by paying any additional amount due or claiming a refund for any over-reporting, also must be filed by the twentieth day of the fourth month following the close of the tax year.

USE TAX

A use tax is levied on the landed value of tangible personal property and on the value of services and contracting imported into Hawaii for use in the State. The "landed value" is the value of the

property at the time it arrives in Hawaii and includes the invoiced or manufactured cost of the property, freight, insurance, and any other costs incurred prior to the arrival of the property in Hawaii. "Value" means fair and reasonable cash value at the time of accrual of the tax.

The use tax complements the general excise tax and is levied at comparable rates. The landed value of tangible personal property or the value of services or contracting imported for consumption and not for sale is taxed at the rate of 4%. The landed value of imported tangible personal property or the value of imported services or contracting which will be sold at the retail level or the landed value of imported tangible personal property which will be leased or rented to another person or business is subject to the use tax at the rate of .5%. The use tax is not imposed on tangible personal property, services, or contracting imported for sale at wholesale. Effective January 1, 2007, the City and County of Honolulu's .5% county surcharge will be applied to all imports into that county that are subject to the use tax at the 4% tax rate."

It is not necessary for a taxpayer with a general excise tax license to separately register for the use tax. The general excise tax return forms are used to report both the general excise tax and the use tax. There also is a registration and reporting procedure for a taxpayer that is not subject to the general excise tax but sells tangible personal property or services to purchasers in Hawaii (Seller's Collection of Use Tax).

WITHHOLDING TAXES

Employers are required to withhold State income taxes on compensation paid to employees for services performed in Hawaii. Employers must register with the Department by completing Form BB-1. A business may register for withholding tax purposes at the same time it applies for a general excise tax license or may later amend the original application to add the withholding tax by completing Form BB-1X.

Periodic withholding tax returns must be filed on a monthly or quarterly basis and are due no later than the fifteenth day of the month following the close of the reporting period. An annual return, which summarizes the monthly or quarterly returns, reconciles the actual total wages paid and the actual taxes withheld during the year with what was reported during the year, and transmits the State copy of Form HW-2 (or federal Form W-2), also must be filed by the last day of February following the close of the calendar year.

NOTE: The unemployment tax is not administered by the Department of Taxation. Anyone with employees in the State should contact the State Department of Labor and Industrial Relations for information. Employers are required to register with the Unemployment Insurance Division by completing Form BB-1.

INCOME TAXES

Net taxable income is subject to State income tax. Income tax returns must be filed by all taxpayers (e.g. individuals, corporations, trusts, and other entities) doing business in Hawaii, whether or not a net profit or loss is realized. Although there are differences, Ha-

waii Income Tax Law generally follows the federal Internal Revenue Code in computing the net taxable income. Hawaii resident individuals are taxed on all income from all sources. Hawaii corporations are taxed on all income, except income apportionable and taxable under the law to another state. Generally, all other taxpayers are taxed on income from their activities in Hawaii. Income tax returns are due by the twentieth day of the fourth month following the close of the tax year.

PENALTIES AND INTEREST

In general, penalty and interest are assessed at the same rates for all State taxes. Two types of penalties may be imposed. A penalty for failing to file a return by the due day is assessed at the rate of 5% of the unpaid tax due for each month or part of a month the return is late up to a maximum of 25%. A penalty also is assessed when a return is filed on time but the tax due is not paid in full. This failure to pay penalty is 20% of the tax not paid within 60 days of the due date of the return. Interest is charged on any unpaid tax and penalty at the rate of 2/3 of 1% for each month or part of a month the amounts remain unpaid. Funds from a payment are first applied to interest and then to penalty. The remaining balance of a payment is then applied to the tax due.

Taxpayers that are required to make payments by electronic funds transfer (EFT) and fail to do so without reasonable cause are subject to a penalty of 2% of the amount of the tax due. This penalty is in addition to the failure to file and failure to pay penalties. Tax payments are required to be made by EFT if the taxpayer's annual liability for all taxes other than withholding is more than \$100,000.

Taxpayers may be subject to the penalty for underpayment of estimated taxes if not enough tax is paid through withholding or estimated tax payments. The penalty is 8% per annum for the period of underpayment.

TAX CLEARANCES

Tax clearance certificates issued by the Department and/or the Internal Revenue Service (IRS) may be required for various purposes. For example, a tax clearance must be obtained before acquiring or renewing a State contractor's license or a county liquor license, or submitting a bid for or receiving final payment on a State or county government contract.

Under current Hawaii law, any business entity intending to enter into (or to bid on) a contract with an agency of the State or with any of the four counties is required to obtain a tax clearance certificate from both the Department and the IRS prior to entering into a State or county contract, as well as upon completion of the contract before final payment is made.

A completed Tax Clearance Application, Form A-6, may be submitted either to the Department or to the IRS by mail, fax, or in person. A tax clearance may also be applied for via the Internet at www.hawaii.gov/org/efile. A tax clearance certificate is issued if all returns due are filed and all tax liabilities are paid. There is no fee for obtaining tax clearance certificates.

Hawaii tax forms and other information are available at the Department's website at: www.hawaii.gov/tax

STATE OF HAWAII — DEPARTMENT OF TAXATION
TAX CLEARANCE APPLICATION
PLEASE TYPE OR PRINT CLEARLY

1. APPLICANT INFORMATION: (PLEASE PRINT CLEARLY)

Applicant's Name _____

Address _____

City/State/Zip Code _____

DBA/Trade Name _____

2. TAX IDENTIFICATION NUMBER(S): (Complete applicable ID numbers)

HAWAII TAX ID # W _____

FEDERAL EMPLOYER ID # _____

(FEIN)

SOCIAL SECURITY #(SSN) _____

3. APPLICANT IS A/AN: (CHECK ONLY ONE BOX)

- | | | |
|---|--|--|
| <input type="checkbox"/> CORPORATION | <input type="checkbox"/> S CORPORATION | <input type="checkbox"/> TAX EXEMPT ORGANIZATION |
| <input type="checkbox"/> INDIVIDUAL | <input type="checkbox"/> PARTNERSHIP | <input type="checkbox"/> ESTATE <input type="checkbox"/> TRUST |
| <input type="checkbox"/> LIMITED LIABILITY COMPANY | <input type="checkbox"/> LIMITED LIABILITY PARTNERSHIP | |
| <input type="checkbox"/> Single Member LLC disregarded as separate from owner; enter owner's FEIN/SSN _____ | | |
| <input type="checkbox"/> Subsidiary Corporation; enter parent corporation's name and FEIN _____ | | |

4. THE TAX CLEARANCE IS REQUIRED FOR:

- | | |
|---|---|
| <input type="checkbox"/> CITY, COUNTY, OR STATE GOVERNMENT CONTRACT IN HAWAII * | <input type="checkbox"/> LIQUOR LICENSE * |
| <input type="checkbox"/> REAL ESTATE LICENSE | <input type="checkbox"/> CONTRACTOR LICENSE |
| <input type="checkbox"/> FINANCIAL CLOSING | <input type="checkbox"/> BULK SALES** |
| <input type="checkbox"/> HAWAII STATE RESIDENCY | <input type="checkbox"/> PROGRESS PAYMENT |
| <input type="checkbox"/> SUBCONTRACT | <input type="checkbox"/> FEDERAL CONTRACT |
| | <input type="checkbox"/> PERSONAL |
| | <input type="checkbox"/> LOAN |
| | <input type="checkbox"/> OTHER _____ |

* IRS APPROVAL STAMP IS ONLY REQUIRED FOR PURPOSES INDICATED BY AN ASTERISK.

** ATTACH FORM G-8A, REPORT OF BULK SALE OR TRANSFER

5. NO. OF CERTIFIED COPIES REQUESTED:

6. SIGNATURE:

PRINT NAME

PRINT TITLE: Corporate Officer, General Partner or Member, Individual (Sole Proprietor), Trustee, Executor

SIGNATURE

DATE

TELEPHONE

FAX

POWER OF ATTORNEY. If submitted by someone other than a Corporate Officer, General Partner or Member, Individual (Sole Proprietor), Trustee, or Executor, a power of attorney (State of Hawaii, Department of Taxation, Form N-848) must be submitted with this application. **If a Tax Clearance is required from the Internal Revenue Service, IRS Form 8821, or IRS Form 2848 is also required.** Applications submitted without proper authorization will be sent to the address of record with the taxing authority. **UNSIGNED APPLICATIONS WILL NOT BE PROCESSED.**

PLEASE TYPE OR PRINT CLEARLY — THE FRONT PAGE OF THIS APPLICATION BECOMES THE CERTIFICATE UPON APPROVAL.

SEE PAGE 2 ON REVERSE & SEPARATE INSTRUCTIONS. Failure to provide required information on page 2 of this application or as required in the separate instructions to this application will result in a denial of the Tax Clearance request.

FOR OFFICE USE ONLY

BUSINESS START DATE IN HAWAII
IF APPLICABLE
/ /

HAWAII RETURNS FILED
IF APPLICABLE
20____ 20____ 20____

STATE APPROVAL STAMP

This is not an
approved certificate
unless the State
approval stamp
appears here.

*IRS APPROVAL STAMP

CERTIFIED COPY STAMP

7. **CITY, COUNTY, OR STATE GOVERNMENT CONTRACT:** ☐ Bid/Entering Into a Contract ☐ Completion/Final Payment
For completion/final payment of contract, please provide the name and telephone number of the contact person at the State or County Agency.
Name: _____ Telephone Number: _____
8. **LIQUOR LICENSING:** ☐ Initial ☐ Renewal ☐ Transfer-Seller ☐ Transfer-Buyer ☐ Special Event
9. **CONTRACTOR LICENSING:** ☐ Initial ☐ Renewal
10. **STATE RESIDENCY:** DATE APPLICANT ARRIVED IN HAWAII _____
11. **ACCOUNTING PERIOD:** ☐ Calendar year ☐ Fiscal year ending _____
(MM/DD)
12. **TAX EXEMPT ORGANIZATION:**
A) Provide the Internal Revenue Code Section that applies to your exemption. _____
B) Does your organization file federal Form 990-T, Exempt Organization Business Income Tax Return? ☐ YES ☐ NO
13. **CORPORATION:** Parent's Corporation Name _____ FEIN _____
14. **INDIVIDUAL:** Spouse's Name _____ SSN _____
15. **IF YOU DO NOT HAVE A GENERAL EXCISE TAX LICENSE AND REQUIRE A TAX CLEARANCE FOR A GOVERNMENT CONTRACT:**
A) Has your firm had any business income in Hawaii prior to the Bid? ☐ YES ☐ NO
B) Does your firm have an office, inventory, property, employees, or other representatives in the State of Hawaii? ☐ YES ☐ NO
C) Has your firm provided any services within the State of Hawaii? ☐ YES ☐ NO
16. **FILING THE APPLICATION FOR TAX CLEARANCE:**

The completed application may be mailed, faxed, or submitted in person to the Department of Taxation, Taxpayer Services Branch. Applications which require an Internal Revenue Service Tax Clearance will be forwarded to the Internal Revenue Service after processing is completed by the Department of Taxation. Allow up to 10 to 15 business days for processing between the Department of Taxation and the Internal Revenue Service.

State Dept. of Taxation
TAXPAYER SERVICES BRANCH
P.O. BOX 259
HONOLULU, HI 96809-0259
TELEPHONE NO.: 808-587-4242
TOLL FREE: 1-800-222-3229
FAX NO.: 808-587-1488

or
830 PUNCHBOWL STREET, RM 124
HONOLULU, HI 96813-5094

Internal Revenue Service
WAGE & INVESTMENT DIVISION
-TC M/S H214
FIELD ASSISTANCE GROUP 562
300 ALA MOANA BLVD., #50089
HONOLULU, HI 96850
TELEPHONE NO.: 808-539-1555
FAX NO.: 808-539-1573

or
TAXPAYER ASSISTANCE CENTER
HONOLULU:
300 ALA MOANA BLVD., RM 1-128

Applications are available at Department of Taxation and IRS offices in Hawaii, and may also be requested by calling the Department of Taxation's Forms By Fax/Mail request line on Oahu at 808-587-7572 or toll-free at 1-800-222-7572. The Tax Clearance Application, Form A-6, can be downloaded from the Department of Taxation's website (www.hawaii.gov/tax).

----- FOR OFFICE USE ONLY -----

TYPE OF TAX	TAX RETURNS FILED STATUS	Clerk's Initials	ITEMS RECEIVED
INCOME			
GENERAL EXCISE/USE/ COUNTY SURCHARGE TAX			
HAWAII WITHHOLDING			
TRANSIENT ACCOMMODATIONS			
RENTAL MOTOR /TOUR VEHICLE			
UNEMPLOYMENT INSURANCE			
OTHER TAXES			

STATE OF HAWAII — DEPARTMENT OF TAXATION
INSTRUCTIONS FOR FORM A-6
TAX CLEARANCE APPLICATION

GENERAL INSTRUCTIONS

- This form is used to obtain a **State Tax Clearance**. (If you are reporting a bulk sale of business assets, you must also complete and attach Form G-8A, Report of Bulk Sale or Transfer.)
- This form may only be used to obtain a **Federal Tax Clearance** for the purpose of liquor licensing or entering into contracts/submitting bids with and/or seeking final payment of contracts from state or county agencies in Hawaii. Contractors winning the bids are not required to have their subcontractors obtain a tax clearance.
- The current version of Form A-6 must be used. Type or print clearly with a pen. After approval, the front page of the application will be your tax clearance certificate.
- Applications (Form A-6) are available at Department of Taxation and Internal Revenue Service (IRS) offices in Hawaii, and may also be requested by calling the Department of Taxation's Forms By Fax/Mail request line on Oahu at 808-587-7572 or toll free at 1-800-222-7572. This form can be downloaded from the Department of Taxation's website (www.hawaii.gov/tax).

LINE-BY-LINE INSTRUCTIONS

Line 1 — Applicant Information

Applicant's Name. — Enter your legal name. The name appearing on your application must match the name on file with the State Department of Taxation, IRS, and, if applicable, the State Department of Commerce and Consumer Affairs.

Address. — Enter the address to which correspondence regarding this application for tax clearance should be mailed. In most cases, the address should be that which is on file with the Department of Taxation and/or IRS.

DBA (Doing Business As)/Trade Name. — If you have a trade or business name which is different from your legal/registered name, enter that name here.

Line 2 — Tax Identification Number(s)

Hawaii Tax ID #. — Enter your Hawaii tax identification number. Enter "NONE" if you do not have one.

Federal Employer ID #. — Enter your 9-digit federal employer identification number (FEIN). Enter "NONE" if you do not have one.

Social Security #. — If you are an individual/sole proprietor, enter your social security number (SSN).

Line 3 — Applicant is a/an

Check the box which best describes your entity type.

If you are a Single Member LLC disregarded as separate from the owner, enter the

owner's FEIN/SSN in the space provided.

If you are a Subsidiary Corporation, enter the parent corporation's name and FEIN in the space provided.

Line 4 — The Tax Clearance is Required For

Check the box(es) which correspond to your reason(s) for obtaining the tax clearance. The asterisks ("*") indicate reasons for which a state and federal clearance is required.

Check the "Other" box if you are required to obtain a tax clearance for the credit for school repair and maintenance or for the purchase of cigarette tax stamps at the reduced rate.

Line 5 — No. of Certified Copies Requested

Enter the number of certified copies you are requesting. Please retain the copy of the tax clearance that is stamped with the green certification stamp. When you require additional copies prior to the expiration date of the tax clearance certificate, submit the copy of the tax clearance that is stamped with the green certification stamp with a request for the number of copies required. Each copy will bear an original green certified copy stamp.

Line 6 — Signature

Print Name. — Enter the name of the person signing the application.

Signature. — The application must be signed by an individual/sole proprietor/owner, trustee, executor, corporate officer (president, vice-president, secretary, treasurer, etc.) or general partner or member. An employee of your company or authorized agent may sign the application if he/she possesses a valid power of attorney. Power of attorney forms are available at the Department of Taxation (Form N-848) and IRS (Form 8821 or Form 2848) as indicated on page 1 of the application. Unsigned or unauthorized signatures on applications will be returned.

Print Title/Date/Telephone/Fax. — Enter the title of the person signing the application, date the application is signed, and the telephone/fax number which the Department of Taxation or IRS can call during business hours should any questions arise while processing the application for tax clearance.

Line 7 — City, County, or State Government Contract

Indicate whether you are submitting a bid for a contract, entering into a contract, completing a contract, and/or waiting for final payment on a contract.

If you are requesting a tax clearance for a completion/final payment of contract, please provide the name and telephone number of the contact person at the State or County Agency in the spaces provided.

Line 8 — Liquor Licensing

For liquor licensing purposes, indicate whether you are applying for an initial liquor license, renewing your current liquor license, transferring a liquor license, or applying for a

one time special event license.

Please Note: If you are renewing your liquor license or transferring the business to another entity (or person), the federal tax clearance requires compliance with the Bureau of Alcohol, Tobacco, and Firearms (ATF).

Line 9 — Contractor Licensing

Indicate whether you are applying for your initial contractor's license or renewing your current license.

Line 10 — State Residency

Enter the date you arrived in the State of Hawaii for your reason for applying is residency status.

Line 11 — Accounting Period

If you file your tax returns on a calendar year basis (1/1 — 12/31), check the first box. If you file your tax returns on a fiscal year basis other than a calendar year, check the second box, and enter the month and day your fiscal year ends. For example, a corporation whose tax year is July 1st through June 30th would write "06/30" on the line provided.

Line 12 — Tax Exempt Organization

Tax exempt organizations must enter the Internal Revenue Code section that applies to your exempt status. Also, check the box to indicate whether or not your organization files federal Form 990-T, Exempt Organization Business Income Tax Return.

Line 13 — Corporation

Subsidiaries of a corporation must enter the parent's corporate name and federal employer identification number on the line provided.

Line 14 — Individual

If you are an individual /sole proprietor who is married, enter your spouse's name and social security number on the lines provided.

Line 15 — If You Do Not Have a General Excise Tax License and Require a Tax Clearance for a Government Contract

If you do not have a general excise tax license and require a tax clearance for a government contract, you must complete this section. Contact the State Department of Taxation if you have additional questions. Refer to page 2 of Form A-6 for the telephone number or mailing address.

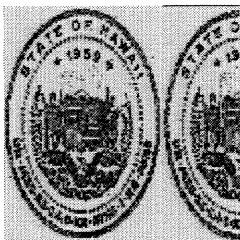
Line 16 — Filing the Application for Tax Clearance

Applications may be submitted either in person, fax or by mail. Mailing addresses for the State Department of Taxation and the IRS are provided on page 2 of the application.

A "mailed-in" tax clearance application generally takes 10 - 15 business days to process.

If all required returns have been filed and all required taxes, penalties, and interest have been paid, a "walked-in" tax clearance to any district tax office will generally be processed the same business day.

Form A-6 also can be filed electronically through the State's Internet portal. An electronically filed tax clearance application generally takes 10 - 15 business days to process. For more information, go to www.ehawaii.gov.org/efile.



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
**INSTRUCTION SHEET FOR FORM LIR#27 APPLICATION FOR
CERTIFICATE OF COMPLIANCE WITH SECTION 3-122-112, HAR**

Purpose

The State and County Government Purchasing Offices require vendors to submit a completed copy of this certificate. Page 1 of this application becomes the Certificate of Approval. Facsimiles and copies of this approval form are proof of compliance. This certificate applies to the Hawaii Unemployment Insurance, WorkerV CRP Sensation, Temporary Disability Insurance, and Prepaid Health Care programs.

Applications are available at the addresses below and can be downloaded from the Department of Labor and Industrial Relations (DLIR) web site (www.hawaii.gov/labor). From the DLIR web site, Form LIR#27 is listed under the Unemployment Insurance Division and Disability Compensation Division.

DO NOT SUBMIT THIS PAGE

Approved, Not Applicable, or Pending certificates are valid for 6 months.

Date submitted to the DLIR _____ (for your use)
Allow up to a total of seven (7) business days for processing.

**FILING INSTRUCTIONS FOR THE
APPLICATION FOR CERTIFICATE OF COMPLIANCE WITH SECTION 3-122-112, HAR
Form LIR#27 (Rev. 10/05)**

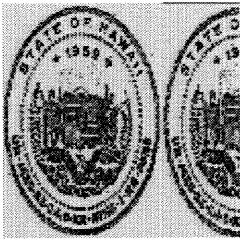
SUBMIT (mail, fax, or deliver) completed application only to the Department of Labor and Industrial Relations, Unemployment Insurance Division*.

*Unemployment Insurance Division
830 Punchbowl Street, Room 437
Honolulu, Hawaii 96813
Ph: (808) 586-8926
Fax: (808) 586-8929

INQUIRIES regarding the status of an application submitted seven (7) business days earlier should be directed to the Disability Compensation Division** (: RUKHV CRP Sensation, Temporary Disability Insurance, and Prepaid Health programs).

**Disability Compensation Division
830 Punchbowl Street, Room 209
Honolulu, Hawaii 96813
Ph: (808) 586-9200
Fax: (808) 586-9206

The Approved, Not Applicable, or Pending certificate of approval will be faxed to the applicant by the Disability Compensation Division. Non-compliant applicants will receive Form LIR#27A instructing the applicant to contact the appropriate program(s).



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
**FORM LIR#27 APPLICATION FOR
CERTIFICATE OF COMPLIANCE WITH SECTION 3-122-112, HAR**

1. APPLICANT INFORMATION: (Please Type or Print Clearly)

*Applicant Business Name			
Address	City	State	Zip Code
DBA/Trade Name			

* Business name must be the same name submitted with WHDSS Form bid or proposal.

2. IDENTIFICATION NUMBER(S): (Complete Applicable ID Numbers)

State Department of Labor Unemployment Insurance ID#	Federal Employer ID# (FEIN)
--	-----------------------------

3. EMPLOYERS: If you have a State Department of Labor Unemployment Insurance ID#, please skip question 3 only:

Do you currently have employee(s) working in the State of Hawaii? <input type="checkbox"/> Yes <input type="checkbox"/> No	Do you plan to have employee(s) work in the State of Hawaii? <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

SEE INSTRUCTION SHEET FOR FILING INSTRUCTIONS. Failure to provide above required information on this application will result in a denial of this request. Unsigned applications will not be processed.

4. SIGNATURE:

Signature	Date	Telephone No. ()	Fax No. ()
Print Name		PRINT TITLE: Corporate Officer, General Partner or Member, Individual (Sole Proprietor), Trustee, Executor	
Email Address			

NOTE: If this application is stamped "PENDING", another LIR#27 must be submitted when employees are performing services in the State to determine compliance with the State of Hawaii labor laws. Approval constitutes a certificate of compliance with labor laws based on information available to the Department as of the approval date.

THIS APPLICATION BECOMES THE CERTIFICATE UPON APPROVAL.

Facsimiles and copies of this approval form are proof of compliance.

FOR OFFICE USE ONLY		Department of Labor and Industrial Relations Approval Stamp
DLIR Log No.	Date Received	

This certificate is valid for **SIX (6) MONTHS** from the approval date.